

POTOMAC AND RAPPAHANNOCK
TRANSPORTATION COMMISSION (PRTC)

OFFICIAL COMMISSION MEETING

MINUTES

DATE: April 1, 2010
TIME: 7:00 p.m.
LOCATION: PRTC Transit Center
14700 Potomac Mills Road, 2nd Floor
Woodbridge, VA 22192-6811

1. CALL TO ORDER

Chairman May called the meeting to order at 7:10 p.m., with a quorum present.

2. ROLL CALL

MEMBERS PRESENT

*Maureen Caddigan	Prince William County
*Corey Hill	Department of Rail & Public Transportation
*Matthew Kelly	City of Fredericksburg
*Michael May, Chairman	Prince William County
*Jackson Miller	Virginia House of Delegates
*Frank Principi	Prince William County
*Gary Skinner	Spotsylvania County
*Jonathan Way, Vice Chairman	City of Manassas

ALTERNATES PRESENT

*Lorraine Lasch	Prince William County
*Benjamin Pitts	Spotsylvania County
*Brian Potvin	Prince William County

STAFF AND GENERAL PUBLIC

Gina Altis	PRTC Executive Assistant
Monica Backmon	PWC Department of Transportation
Alyssa Brown	Assistant, Supervisor Mike May
Kimberly Copenhaver	Citizen

Art Clark
 Joyce Embrey
 Althea Evans
 Anthony Foster
 Shanta Garth
 Al Harf
 Angela Horan
 Robb Howell
 Ken Jones
 Ryan Jones
 Eric Marx
 Betsy Massie
 Tim McCann
 Jeff Morfit
 Teresa Morfit
 Jennifer Mouchantaf
 Paul Pitchke
 Chuck Steigerwald
 Dale Zehner

FIRST TRANSIT Safety & Training Mgr.
 PRTC Dir., Finance & Administration
 PRTC Dir., Marketing & Communications
 PRTC Transportation Project Manager
 FIRST TRANSIT AGM-Accounting & Admin.
 PRTC Executive Director
 PRTC Legal Counsel
 FIRST TRANSIT General Manager
 PRTC Dispatch Supervisor
 PRTC Special Projects Coordinator
 PRTC Dir., Planning & Operations
 PRTC Dir., Grants & Project Management
 FIRST TRANSIT Region Vice President
 PRTC Customer Service Agent
 Citizen
 VRE Deputy Chief Executive Officer
 FIRST TRANSIT AGM-Operations
 PRTC Mgr., Planning & Quality Assurance
 VRE Chief Executive Officer

MEMBERS ABSENT

Wally Covington
 John Jenkins
 Frank Jones, Immediate Past Chmn
 Scott Lingamfelter
 Jerry Logan, Secretary
 Paul Milde, Treasurer
 Martin Nohe
 Toddy Puller
 Susan Stimpson

Prince William County
 Prince William County
 City of Manassas Park
 Virginia House of Delegates
 Spotsylvania County
 Stafford County
 Prince William County
 Virginia Senate
 Stafford County

ALTERNATES PRESENT

Ateeb Ahmad
 David Awbrey
 Hilda Barg
 Jean Benson
 Hap Connors
 Harry Crisp
 Mark Dudenhefer
 Brad Ellis
 Darrel Feasel
 Peter LaMarca
 Sushas Naddoni
 Hal Parrish
 Sorine Preli
 Corey Stewart

Prince William County
 Department of Rail & Public Transportation
 Prince William County
 City of Fredericksburg
 Spotsylvania County
 Stafford County
 Stafford County
 City of Fredericksburg
 Department of Rail & Public Transportation
 City of Fredericksburg
 City of Manassas Park
 City of Manassas
 Prince William County
 Prince William County

John Stirrup
William Wren

Prince William County
City of Manassas Park

*Voting Member

3. INVOCATION Led by Vice Chairman Way.
4. PLEDGE OF ALLEGIANCE Led by Commissioner Potvin.
5. CITIZENS' TIME No citizens came forward.
6. PRESENTATIONS

[FT\Info] A. First Transit (FT) General Manager Robb Howell –
Employee Recognition and Operations Report.

Mr. Howell recognized the January 2010 Operator-of-the-Month Quentin Richter. Mr. Richter has been a bus operator since June 2006 and currently operates the West Falls Church Metro-Direct and Tysons Express Bus service.

Mr. Howell reported thirteen commendations (directed to eight different operators) were received during the month of March. He went on to report the accident frequency rate for the month of March is 1.39 per 100,000 miles (a 20% reduction compared to the same period last year). He also reported the complaint rate on the OmniRide service for March is 6.87 per 10,000 passengers compared to 9.86 for the prior month, and the year-to-date is 7.31 compared to 7.46 for the same period last year. The complaint rate on the OmniLink service for March is 5.74 compared to 6.65 for the prior month, and the year-to-date is 4.9 compared to 5.18 for the same period last year.

Moving to another subject, Mr. Howell reported a labor agreement was reached on March 14th between First Transit and the American Federation of State, County and Municipal Employees (AFSCME), the union representing its bus operators at PRTC.

Continuing, Mr. Howell reported that the "Fleet Maintenance Audit" will commence next week and a full report will be provided to the Commission once the results are received. He went on to note that staffing levels have returned to normal and, following a graduating class in March, the normal training routine has resumed.

Commissioner Way asked if the new "background checking/fingerprinting" procedures have been implemented. Mr. Harf replied "no," and explained that the Governor's signature is still awaited.

7. APPROVAL OF MINUTES

RES 04-10-01
[PRTC\Minutes]

Minutes of March 4, 2010.

Commissioner Kelly moved, with a second by Commissioner Way, to approve the Minutes, as presented. There was no discussion on the motion. (KELLY\WAY; WITH MAJORITY VOTE, MAY ABSTAINED)

8. AGENDA APPROVAL

RES 10-04-02 Agenda of April 1, 2010.
[PRTC\Agenda]

Commissioner Kelly moved, with a second by Commissioner Caddigan, to approve the Agenda, as amended. There was no discussion on the motion. (KELLY\CADDIGAN, UNANIMOUS)

9. CONSENT AGENDA APPROVAL – April 1, 2010

RES 10-04-03 Consent Agenda of April 1, 2010.
[PRTC\Consent Agenda]

Commissioner Caddigan moved, with a second by Commissioner Principi, to approve the Consent Agenda, as presented. (CADDIGAN\PRINCIPI, UNANIMOUS)

RES 10-04-04 A. Treasurer's Report.
[PRTC\Finance]

Accepted the Treasurer's Report for period ended January 31, 2010, as presented. (CADDIGAN\PRINCIPI, UNANIMOUS)

10. VIRGINIA RAILWAY EXPRESS (VRE)

[VRE\Info] A. Operations Board Meeting Agenda and Minutes of
March 19, 2010. There were no comments.

B. Chief Executive Officer's Report (3-10).

Mr. Zehner reported ridership remains steady with standees on most of the peak trains. He went on to report that VRE's on-time performance averaged 90% system-wide for the month of March (88% and 92% on the Fredericksburg and Manassas lines, respectively).

Mr. Zehner also reported that VRE recently concluded six public hearings regarding the introduction of a proposed express train. VRE received over 375 comments via e-mail, letter, and fax and over 2,700 responses via an on-line survey (i.e. "Survey Monkey"). A report, including a summary of the comments and a staff recommendation, will be presented to the VRE Operations Board at its April meeting.

Mr. Zehner went on to report that DRPT Director Thelma Drake attended a meeting with CSXT, DRPT, and VRE on March 11th, traveling to the VRE offices via the VRE train service from the Fredericksburg VRE Station to Alexandria. Discussion included the construction of eleven miles of third main rail trackage between Powell's Creek near Cherry Hill and Arkendale. VRE is currently working on the project with DRPT and the Federal Railroad Administration (FRA), and a second meeting occurred in Richmond yesterday with the same group of people. He explained that the third main track will be constructed on a "design-build" basis, which FRA is being asked to approve. VRE is currently awaiting the FRA's announcement regarding the project commencement date.

Commissioner Way asked if the "discounted ticket" procedure (to better enforce restrictions on allowable usage of half-fare tickets) has been implemented. Mr. Zehner replied "yes," and explained that the new procedure is operating well.

Chairman May asked Mr. Zehner about the Positive Train Control (PTC) mandate, expressing concerns about the practicality of the 2015 deadline. Mr. Zehner prefaced his response to Chairman May by explaining the genesis of the PTC mandate, observing the mandate was enacted as part of the Rail Safety Improvement Act of 2008 (RSIA) with only \$50 million per year of authorized funding, which is a small fraction of the cost for PTC implementation nationwide. Mr. Zehner also noted that there are also technical challenges, including a limited pool of potential suppliers and the fact that equipment is not currently in production. VRE is working with the railroads to prepare an "implementation plan" and will provide an "overlay" to the railroads' implementation plan since the VRE has a requirement to outfit the locomotives/cab cars and maintain the equipment/train people as a complement to what the railroads must do infrastructure-wise. VRE's PTC plan will be discussed at the March 16th VRE Operations Board Meeting, and the budget implications for VRE are not quantifiable as yet.

Commissioner Skinner expressed concern about the limited pool of potential suppliers, which could drive prices higher. Mr. Zehner acknowledged this is a real issue, noting there are about five different PTC systems currently available, and noting that the "interoperability" requirement (i.e. the PTC system has to perform between different railroads if a locomotive moves from one railroad to the next railroad) adds to the difficulty. Currently, WebTech (a U.S. based company with 50 subsidiaries in the railroad business) is the largest viable company to produce the equipment.

Following the discussion, Chairman May observed that it seems advisable for PRTC to send a letter to the Northern Virginia Congressional Delegation expressing concerns about the mandate, referencing the financial and technical issues raised during the discussion. After confirming that the other Commissioners were in accord, Chairman May directed Mr. Harf to draft the letter in cooperation with Mr. Zehner.

Commissioner Caddigan asked about the status of the High Speed Rail project. Mr. Zehner explained that the lionshare of the funding was awarded to Florida, California, and for a Chicago to St. Louis project, though Virginia/VRE received \$75 million in funding. The

\$75 million is to be used for the third track segment between Powell's Creek and Arkendale, which was the subject of the recent meeting involving DRPT Director Thelma Drake referenced earlier and a separate meeting with Secretary Connaughton.

Following an exchange about VRE ridership gains, Mr. Harf observed that part of the reason for this is that a sizable number of VRE and OmniRide passengers receive the \$230.00 commuter benefit, which will revert back to \$120.00 unless the Congress extends it. Both VRE and PRTC stand to lose some riders if the \$230.00 transit benefit reverts back to \$120.00.

11. CHAIRMAN'S TIME

[PRTC\Info] A. Expression of Appreciation – Commissioner Brian Potvin and PRTC Customer Service Agent Jeff Morfit.

Chairman May recognized Commissioner Brian Potvin for his service to the Commission and presented Mr. Potvin with a token of appreciation on behalf of the Commission.

Chairman May introduced PRTC Customer Service Agent Jeff Morfit and his wife, Teresa, and recognized Mr. Morfit for ten years of service with PRTC. Mr. Morfit was presented with a token of appreciation and certificate on behalf of the Commission.

12. EXECUTIVE DIRECTOR'S TIME

[PRTC\Info] A. Executive Director's Report.

Mr. Harf reported that the federal transportation reauthorization (SAFETEA-LU) has been extended through the end of calendar year 2010. It also appears that Congress will consider a "multiyear bill" in the spring of 2011. With the extension of SAFETEA-LU, Mr. Harf explained that the FY 2010 federal appropriation can be made. The FY2010 appropriation is at essentially the same level as the FY 2009 appropriation thanks to an infusion of general fund money to supplement TTF funds because the question of how to fully endow the TTF remains unanswered.

Moving to another subject, Mr. Harf reported the Administration has unveiled its FY 2011 budget. He went on to say that the Administration's budget proposal incorporates some of the changes the Administration would like to see incorporated in the reauthorization. The Congress is not likely to react well to the proposal because it's not an accepted practice to use an appropriation bill as a vehicle for changing the complexion of the Federal authorizing legislation.

Continuing, Mr. Harf reported the House Republicans announced that they will not support earmarks in FY 2011 and it is uncertain at this point if the Democrats will follow suit. This poses a concern for both PRTC and VRE because of their historic reliance on earmarks. He explained the funds which would be earmarked are authorized funds, so these funds are likely to be appropriated and expended with or without earmarks.

On the state legislative side, Mr. Harf expressed appreciation to both Delegate Miller and Senator Puller for their effort in bringing about the successful enactment of the “background checking/fingerprinting” legislation. PRTC-First Transit will bear the cost of the fingerprint checking – the cost per check is still awaited from the State Police. Mr. Harf also expressed appreciation to Delegate Miller for his effort in changing the criminal code to lessen the infraction of certain types of VRE fare evasion so those charged with such infractions can simply pay a fine rather than being forced to go to court.

Mr. Harf also expressed appreciation to Delegate Lingamfelter for his efforts in overturning the Tax Commissioner’s exemptions on the motor fuels tax so that transportation and delivery charges are now taxable as the fuel itself is. Finally, Mr. Harf acknowledged the successful effort by Senator Barker to cap the numbers of hybrid vehicles on I-66 using the same method that was used in the I-95 HOV lanes, effective July 2011.

With regard to the AFSCME-First Transit agreement, Mr. Harf noted that while First Transit is working hard to regain full staffing levels, missed bus trips persist to a lessening degree. Customer communications have been stepped up in an effort to inform customers of possible annulled bus trips before they make their way to a bus stop.

Turning to a different subject, Mr. Harf recounted a meeting he and other members of the Virginia Transit Association (VTA) had on March 8th with Transportation Secretary Sean Connaughton. At the meeting, the Secretary requested suggestions about desirable changes to the Virginia Code and CTB/VDOT/VDRPT policies and procedures (improving transportation project/program delivery and efficiency) for consideration by the Government Reform Commission. Mr. Harf explained that during the March 8th meeting, the VTA delegation understood the Secretary to say that ideas could be submitted as late as May, but staff learned in the past 24 hours that the deadline is April 2nd. VTA Executive Director Linda McMinimy contacted the Secretary’s office to appeal for more time, and he assented to a few days reprieve. As a result, the Commission is being asked via a “blue-sheeted” item to provisionally authorize the Executive Director to transmit PRTC’s recommended statutory/procedural changes to Secretary Connaughton for his consideration. Chairman May asked the Executive Director to forward the blue-sheeted item to the Commissioners to invite their reaction with comments due to the Executive Director by close of business on Monday, April 5th.

In conclusion, Mr. Harf reported a Federal Financial Management Oversight (FMO) and State Financial audit are in the concluding stages. PRTC has received “tentative” results with regard to the state audit, but those results have not been formally transmitted as yet by DRPT. He went on to report that the Federal Transit Administration (FTA) FMO audit focuses on VRE’s rolling stock acquisitions. Preliminary results provide a “clean bill of health” on the fiduciary aspect of the audit, but procedural issues are still under discussion pivoting off the question of what VRE is entity-wise. The FMO auditors are hinting they might conclude that VRE is an entity in its own right, warranting treatment as a sub-recipient (which would result in different accounting and auditing implications), which PRTC and NVTC are disputing.

[PRTC\Action] B. Action Items:

RES 10-04-05 1. MCI Overhaul Award.
[PRTC\MCI Bus Overhauls]

Commissioner Caddigan moved, with a second by Commissioner Kelly, to award a contract to ABC Bus, Inc. for MCI bus overhauls and to seek separate Commission authorization to exercise the option embedded in the contract to lease buses from ABC Bus, Inc. if deemed in the Commission's best interest. There was no discussion on the motion. (CADDIGAN\KELLY, UNANIMOUS)

RES 10-04-06 2. PRTC-First Transit Contract Change Order No. 14.
[PRTC\First Transit]

Commissioner Caddigan moved, with a second by Commissioner Kelly, to authorize the Executive Director to execute Change Order No. 14 to compensate First Transit for existing strategic service hours that are not now compensated effective April 1, 2010, and establish the future hourly rate for such services. There was no discussion on the motion. (CADDIGAN\KELLY, UNANIMOUS)

RES 10-04-07 3. Statutory and Procedural Changes for Virginia
[PRTC\Virginia Code Changes] Transportation Secretary Sean Connaughton's
Consideration.

Commissioner Caddigan moved, with a second by Commissioner Kelly, to provisionally authorize the Executive Director to submit statutory/procedural changes to Virginia Transportation Secretary Connaughton for his consideration in preparing for the Governmental Reform Commission.

Commissioner Miller asked who on the PRTC staff prepared PRTC's proposed changes ("wish list"), and noted that changes of this sort could be sought by members of the legislative delegation independent of Secretary Connaughton or the Government Reform Commission. In response to Delegate Miller's question about the authorship of the list, Mr. Harf said he produced it with assistance from Betsy Massie and Joyce Embrey.

Commissioner Kelly expressed support for wish list "Item 3 – Distribution of certain federal funds" in particular, noting that the state doesn't recognize the full extent of the MPOs federally legislated authority.

With regard to wish list "Item 4 – Changing the mindset about reprogramming requests," Commissioner Hill clarified that reprogramming is when a grant is awarded for a specific project(s), and the requestor returns to DRPT to ask the funds be spent on a different project(s). He explained that DRPT's six-year program goes through a public hearing process, and the public is informed how the grant funds will be spent. When funds are spent on different project(s) instead of the original request, there are attendant concerns about accountability.

There was no further discussion on the motion. (CADDIGAN\KELLY, UNANIMOUS)

[PRTC\Info] C. Information Items:

1. PRTC Service Performance Reports. There were no comments.
2. PRTC Budget-to-Actual Comparison. There were no comments.
3. Communications:
 - a. Related to Funding. There were no comments.
 - b. Related to Jurisdiction. There were no comments.
 - c. General Interest. There were no comments.

13. OTHER BUSINESS/COMMISSIONERS' TIME

There was no other business to come before the Commission.

14. ADJOURNMENT

There being no further business to come before the Commission, Chairman May adjourned the meeting at 8:00 p.m.

NEXT MEETING: Thursday, May 6, 2010, 7:00 p.m.

LOCATION: PRTC Transit Center
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Woodbridge, VA 22192-6811
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Fax #: (703) 583-1377